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Letter dated 21 November 2001 from the Permanent Representative of Uganda to the United Nations to the President of the Security Council

On instructions from my Government, I have the honour to attach the text of a statement issued on 20 November 2001 by the Government of Uganda (see annex) on the recently published addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and other Forms of Wealth of the Democratic Republic of the Congo (see S/2001/1072).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Semakula **Kiwanuka**
Ambassador Extraordinary and Plenipotentiary/
Permanent Representative of Uganda to the United Nations

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Annex to the letter dated 26 November 2001 from the Permanent Representative of Uganda to the United Nations to the President of the Security Council

Statement issued on 20 November 2001 by the Government of the Republic of Uganda on the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and other Forms of Wealth of the Democratic Republic of the Congo

The Government of Uganda welcomes the release on 19 November 2001 of the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (see S/2001/1072).

The Government of Uganda has noted that the addendum to the report has some positive aspects:

(a) First, it recognizes the fundamental issue regarding Uganda's legitimate security concerns in the Democratic Republic of the Congo as a result of the threat from the negative forces in the Democratic Republic of the Congo, including the Allied Democratic Forces (ADF), WNBF, UNRF and more recently from the People's Redemption Army (PRA). The addendum to the report also appreciates the fact that the intervention by Uganda in pursuit of the perpetrators of terrorist activities was based on a bilateral protocol signed between the Government of Uganda and the Democratic Republic of the Congo in 1998;

(b) Second, the addendum to the report states that neither the Government of Uganda nor any of its companies are involved in the illegal exploitation in the Democratic Republic of the Congo;

(c) Third, the addendum to the report recognizes that Uganda is complying with the Lusaka Ceasefire Agreement and relevant Security Council resolutions. Specifically, it notes that Uganda has made significant withdrawal of its troops from the Democratic Republic of the Congo. It also notes that Uganda has complied with the Security Council presidential statement S/PRST/2001/13 by establishing the Judicial Commission of Inquiry on the Illegal Exploitation of Natural Resources of the Democratic Republic of the Congo;

(d) Fourth, the addendum to the report recognizes what President Yoweri K. Museveni has repeatedly said, namely, that the significance of the implementation of the Lusaka Ceasefire Agreement, including the inter-Congolese dialogue, is the only guarantee to (a) guard against illegal exploitation and (b) ensure the security of neighbouring countries;

(e) Fifth, the addendum to the report remedies the earlier anomaly and introduces balanced coverage of all the countries involved in the Democratic Republic of the Congo, including the Democratic Republic of the Congo itself, Zimbabwe, Angola and Namibia.

Key areas of concern

The Government of Uganda, however, wishes to express its disappointment with the addendum to the report as follows:

(a) The addendum to the report accuses senior military officers of continuing to have commercial networks in the Democratic Republic of the Congo, and it quotes as examples the Trinity and Victoria Companies, which are still involved in the Democratic Republic of the Congo;

(b) Preliminary findings, however, indicate that Trinity and Victoria Companies are not Ugandan owned. Thus, Uganda cannot determine which companies operate in the Democratic Republic of the Congo or where their products end. It would, therefore, be very helpful for the Panel to provide evidence to Uganda's Porter Commission of Inquiry so that it can finalize investigations involving senior UPDF Officers. The Uganda Government is committed to the implementation of the recommendations of the Porter Commission of Inquiry;

(c) We also note a number of factual errors. For example, in paragraph 48, the addendum to the report alleges that the Government of Uganda denies that timber from the Democratic Republic of the Congo transits through Uganda. This is not true. The detailed facts and data regarding transit cargo from the Democratic Republic of the Congo were given to the Panel in November 2000 and August 2001.

Comments on the recommendations

1. *On the convening of an international conference on peace and development in the Great Lakes region*: Uganda believes that such a conference should take place after the implementation of the Lusaka Ceasefire Agreement on the Democratic Republic of the Congo and the Arusha Peace Process on Burundi. The conference would then focus on reconstruction of the region and take advantage of the peace dividend.

2. *On the recommendation that the United Nations Organization Mission in the Democratic Republic of the Congo accelerate the disarmament, demobilization and reintegration of the negative forces present in the Democratic Republic of the Congo*: Uganda supports the recommendation and believes this is the key to the complete withdrawal of foreign forces and the full implementation of the Lusaka Ceasefire Agreement.

3. *On the evaluation of donor assistance to countries in the region*: Uganda has nothing to hide. Our budgeting process has been transparent and has been worked out with our development partners, including the International Monetary Fund and the World Bank. Uganda's military expenditure remains within the agreed spending limits. Also, Uganda has withdrawn 12 out of 14 battalions, and has requested the Security Council to deploy the United Nations Organization Mission in the Democratic Republic of the Congo in the Bunia and Buta areas so that Uganda can withdraw its remaining troops.

4. *On the issue of a moratorium*: Uganda has always stated that a moratorium could be put on the commercial exploitation of minerals, but not on smallholders who earn their living through the traditional cross-border trade.

5. *On the issue of sanctions*: Uganda believes that sanctions should be aimed at those who violate the implementation of the Lusaka Ceasefire Agreement. The implementation of the Lusaka Ceasefire Agreement and the establishment of the new political dispensation are the only guarantee against the illegal exploitation of natural resources in the Democratic Republic of the Congo.